

DANIEL R DRAKE  
DRAKE LAW, PLC  
4340 East Indian School Road  
Suite 21-113  
Phoenix, Arizona 85018  
drakelawplc@gmail.com  
Arizona State Bar No. 003781  
Telephone (602) 881-5341  
Attorney for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF ARIZONA**

United States of America,  
Plaintiff,

v.

Abdul Malik Abdul Kareem,  
Defendant.

2:15-cr-00707-SRB  
**Motion to Appoint Counsel re:  
Supplemental Motion for New  
Trial (Dkt. 505)**

Defendant Abdul Malik Abdul Kareem moves the Court to appoint Daniel R. Drake and Daniel D. Maynard as counsel under the Criminal Justice Act, 18 U.S.C. 3006A (CJA), to represent him in connection with his supplemental motion for new trial, filed on June 11, 2018. (Dkt. 505.) He further requests the Court to make this order effective, nunc pro tunc, April 2, 2018. Both Mr. Maynard and Mr. Drake are members of a CJA panel.

Previously, on July 22, 2015, this Court declared this matter a complex case. (Dkt. 37.) Trial took 19 days, exhibits numbered more than 500, and some of the issues in the motion for new trial involve matters of evidence in a separate criminal case tried in the Northern District of Ohio, *United States v. Erick Jamal Hendricks*, 1:16-cr-00265-JRA-1. In order to prosecute the motion counsel must demonstrate that the newly discovered evidence would put the case in such a different light as to undermine confidence in the verdict. *Strickler v. Greene*, 527 U.S. 263, 290 (1999) (citing *Kyles v. Whitley*, 514 U.S. 419, 435 (1995)). That entails a reference to the evidence at trial. This case warrants appointment of both attorneys to effectively assist Mr. Abdul Kareem.

1 This Court on June 11, 2015, appointed CJA counsel to represent Mr. Abdul  
2 Kareem in district court proceedings. His financial situation has not changed since that  
3 time; he has remained in the custody and is now serving his sentence in the Bureau of  
4 Prisons correctional institution at Florence, Colorado.

5 Counsel forwarded a CJA 23 Form to Mr. Abdul Kareem so he can update it and  
6 return it to counsel who will then submit it to the Court under seal.

7 Excludable delay under 18 U.S.C. s 3161(h) will not occur as a result of this notice  
8 or an order based thereon.

9 Respectfully Submitted this 27<sup>th</sup> day of July 2018.

10 DRAKE LAW, PLC

11 *s/Daniel R. Drake*

12 DANIEL R. DRAKE

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15 Certificate of Service

16  
17 I hereby certify that on July 27, 2018, I electronically transmitted the attached document  
18 to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic  
Filing to CM/ECF registrants:

19 AUSA Joseph E. Koehler  
20 AUSA Kristen Brook

21 *s/Daniel R. Drake*  
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